

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM  
MATCHING GRANTS TO PUBLIC ENTITIES  
TO  
ABATE SOLID WASTE DISPOSAL SITES  
GRANT APPLICATION PACKAGE  
FISCAL YEAR 2008/2009



California Integrated Waste Management Board  
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## SECTION I GRANT SUMMARY AND GUIDELINES

### A. OVERVIEW

Assembly Bill 2136 (enacted October 1993) required the California Integrated Waste Management Board (Board) to initiate the Solid Waste Disposal and Codisposal Site Cleanup Program (Program) for cleanup of solid waste sites and solid waste at codisposal sites where the responsible party either cannot be identified or is unwilling or unable to pay for timely remediation and where cleanup is needed to protect public health and safety and/or the environment.

Public entities bear a financial responsibility for maintaining public landfill sites in compliance with State regulations and standards. The Program provides financial assistance in the form of reimbursement grants up to \$750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting public health and safety and the environment.

### B. GRANT APPLICATION

The application is designed to provide the information necessary for Applicants to successfully complete the application and for the Board to evaluate, prioritize, and award cleanup grants. This package contains instructions for completing and submitting the grant application and the required attachments in compliance with the Board's policies, regulations, and statute. Instructions for the completion of the grant application are included in Section II.

### C. ELIGIBLE APPLICANTS [14 CCR 18921]

Grants are available to public entities, including counties, cities, districts, and State agencies, for site cleanup needed to protect public health and safety and/or the environment. Applicants must provide adequate documentation of financial need for assistance and show evidence of ability to pay for their matching share of costs and costs that are ineligible and/or that exceed the maximum grant amount.

### D. MAXIMUM FUNDING [14 CCR 18922(b)]

Applicants may request funding up to 50 percent of the costs determined by the Board to be eligible and necessary. Maximum grant funding shall not exceed \$750,000. Program staff shall work with the Applicant to determine eligible and ineligible costs and, if necessary, adjust proposed costs prior to preparation of funding recommendations for the grant award Agenda Item.

#### E. ELIGIBLE ACTIVITIES [14 CCR 18904 AND 18921]

Grant funds are intended to be used to abate threats to public health and safety and/or the environment by funding solid waste disposal and codisposal site remediation activities. Grant funds may only be used for eligible costs up to the maximum funding level authorized. Grantees must pay for all costs of ineligible work and all costs of eligible work exceeding the maximum funding level required to complete the project. Eligible activities that are typical to remediation activities at solid waste disposal and codisposal sites include, but are not limited to:

- (i) Waste removal and disposal;
- (ii) Security measures such as fences, barriers, and warning signs;
- (iii) Site grading and drainage controls to minimize erosion;
- (iv) Slope and foundation stabilization;
- (v) Excavation, consolidation, and capping of waste areas;
- (vi) Installation of landfill gas and leachate control systems;
- (vii) Field and laboratory testing; and
- (viii) Health and safety measures required for eligible project work.

Ineligible actions include, but are not limited to:

- (i) Closure activities as defined in 27 CCR 20164;
- (ii) Ground water remediations;
- (iii) Operation and maintenance of monitoring systems;
- (iv) Postclosure maintenance activities;
- (v) Preparation of closure and/or postclosure maintenance plans;
- (vi) Improvements to property for postclosure land uses; and
- (vii) Removal, abatement, and cleanup or otherwise handling of only hazardous substances as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. section 9601(14)] not codisposed with nonhazardous solid waste.

Those actions not specifically listed as eligible or ineligible are deemed discretionary and may be considered by the Board for approval.

#### F. APPLICATION SUBMITTAL

Applications must be postmarked and may only be submitted to the Board via US Mail. All materials submitted will become the property of the Board and will be retained for a minimum of three years. Applicants must submit one original and three (3) copies of the entire application package to the following address:

California Integrated Waste Management Board  
Grants Administration Unit (MS-9A)  
P.O. Box 4025  
Sacramento, California 95812-4025

#### G. DEADLINES

Grant applications are accepted on a continuous basis up to the last Cycle deadline. The Board provides three opportunities to submit an application during the fiscal year. Applications must be postmarked on or before the deadlines stated below. For Cycles 1 and 2, applications received after the deadline will be considered during the next cycle. Applications postmarked after the deadline for Cycle 3 will be returned unopened to the Applicant with a letter of explanation. For applications submitted prior to and at the deadline, the deadline shall be considered the date of receipt for the applications. The cycle timelines for fiscal year 2008/2009 are as follows:

Cycle number:	1
Deadline:	Postmarked no later than September 15, 2008
Tentative Award date:	November 2008 Board Meeting
Cycle number:	2
Deadline:	Postmarked no later than December 15, 2008
Tentative Award date:	February 2008 Board Meeting
Cycle number:	3
Deadline:	Postmarked no later than March 15, 2009
Tentative Award date:	May 2009 Board Meeting

Any application received by the Board before the required deadline may be withdrawn or modified by written request of the Applicant. Withdrawal of the application does not prejudice the right of the Applicant to modify and/or submit a new application before the deadline. Applicants may not withdraw or modify an application after the final deadline.

## H. APPLICATION EVALUATION

Applicants must submit a complete application including, at a minimum, all the documents required in Section II. The Board may reject any application if it is conditional, incomplete, or contains irregularities. The Board may waive immaterial deviations when considered in the best interest of the Board. Waiver of immaterial deviations shall in no way modify the application requirements.

The Board's Grants Administration Unit (GAU) and Program staff will perform a general completeness and eligibility review for each application within 30 days of receipt. Applications that are determined to be incomplete may be resubmitted any time prior to the deadline of the grant cycle in which they were submitted or may be resubmitted during a future grant cycle in the same fiscal year. Ineligible applications may not be resubmitted.

Complete applications that meet the minimum eligibility requirements will be reviewed and scored by a panel consisting of one Program staff person, a staff person from the Financial Assistance Division, and one other Board staff person using the Board-approved scoring criteria listed in Table 1. All eligible proposals will be ranked according to the total number of points received. An application may receive a maximum of 100 possible points, with a 60-point minimum score required to be considered eligible for funding under the Program. Concise applications with strong detail and justification will be given maximum points. Applications that are concise and include strong detail and justification are provided a better chance of receiving maximum points compared to applications lacking detail and justification. Applications receiving a passing score in each cycle will be recommended for funding. Grant recommendations will be according to passing applicants in rank order (highest passing score to lowest passing score) until funds are exhausted. When eligible grant requests among Applicants with tie scores exceed funding availability, the tie shall be brought forward to the Board at the time the awards are considered in an agenda item. The Board shall make the determination on tie scores, as to which Applicant, if any, shall receive an award or portion of an award, in a manner that is both fair and equitable.

## I. QUESTION AND ANSWER PERIOD

Applicants may submit questions regarding the grant process either in writing or by e-mail to the following:

Via US Mail:                      Mr. Wes Mindermann  
   Cleanup Branch (MS10-18A)  
   California Integrated Waste Management Board  
   P.O. Box 4025  
   Sacramento, California 95812-4025

Via e-mail:                        [wminderm@ciwmb.ca.gov](mailto:wminderm@ciwmb.ca.gov)

Answers will be posted on the Board's web site and mailed to potential Applicants that request written communications.

#### J. GRANT TERM PERIOD AND AGREEMENT

Grant periods are three fiscal years, including the fiscal year in which the grant is awarded.

Grants awarded by the Board are administered through grant agreements. Program staff will prepare and send the agreements to Grantees for execution after the grants are awarded.

#### K. INVOICING AND PAYMENT OF GRANT FUNDS

All payments are reimbursed in arrears and are based on verified actual costs as well as compliance with the grant agreement. Only expenses identified in the budget will be reimbursed. Advance payments will not be authorized. Expenses incurred prior to the execution (i.e. receipt of notice to proceed) of the grant agreement and after the closing date of the grant agreement are not reimbursable. The Grantee will be paid ninety (90) percent of the funds requested and approved by the Grant Manager. The Board will withhold ten (10) percent of funds requested and approved until the Grantee completes the project and fulfills all grant requirements.

Grantees will be allowed to submit invoices monthly to the Grant Manager for reimbursement. Invoices must be sequentially numbered and prepared in triplicate with all supporting documents (e.g., receipts, cancelled checks, payroll stubs, etc.). All submitted documents will require annotations that specifically link the expenditure to the approved Work Plan. The Board is the final approving authority on reimbursement of expenditures.

#### L. REPORTING REQUIREMENTS

Grantees must provide the Grant Manager with requested interim verbal or written reports to show compliance with the grant agreement. A final grant report must summarize the overall results of the grant. Grantees are required to provide a detailed written final report prior to or with the final request for payment that will include at a minimum the following:

- (i) Introduction. Include purpose of report, description of site(s), reference documents, and other pertinent information.
- (ii) The project's impact on the local community;
- (iii) The formal Work Plan showing completion or status of tasks and objectives;

- (iv) Results of the performance measures;
- (v) Effectiveness of the grant;
- (vii) Recommendations for improving the grant program; and
- (viii) Appendixes (as applicable). Include site location(s), access authorizations, plans and specifications, as-built drawings, permits, photo log, and periodic construction management reports.

#### M. AUDIT REQUIREMENTS

The Grantee agrees that the CIWMB, the Department of Finance, the Bureau of State Audits, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. The Grantee agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to performance of this Agreement.



TABLE 1

SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT PROGRAM GRANT SCORING CRITERIA FOR FISCAL YEARS 2008/2009 AND 2009/2010	
Applicants must score 60% (60 points) of 100 points to be considered for funding.	
Points	Description
GENERAL CRITERIA	
40	<p><b>NEED</b> = Grant proposal clearly and convincingly describes and demonstrates why the project should be funded (e.g., benefits, end products, etc.)</p> <p><b>SUBSTANTIATION OF THREAT TO PUBLIC HEALTH AND SAFETY AND/OR THE ENVIRONMENT.</b> Include documentation such as: site investigation reports and regulatory inspections, investigations, and enforcement orders. (20 points maximum)</p> <p><b>SUBSTANTIATION OF NEED FOR GRANT FUNDS.</b> If the Applicant is the owner or responsible party, include Applicant's financial statements, independent audits, statement of facts, etc. If the owner or responsible party is unable or unwilling to pay for timely and proper remediation, submit evidence of inability or unwillingness. If the site is an abandoned site (i.e., no owner or responsible party) submit evidence of abandonment. List the availability of other appropriate federal or state enforcement and/or cleanup programs to remediate the site. (20 points maximum)</p>
5	<p><b>GOALS AND OBJECTIVES</b> = Describe what you wish to accomplish by completing this grant project. Measurable target(s) that must be met on the way to attaining your goal.</p> <p>List and explain the major goals and objectives of the proposed project. Examples include, but are not limited to: improvements to public health and safety and/or the environment; recycling and/or reuse of recovered materials; restoration of land to beneficial uses; and implementation of methods to prevent or minimize reoccurrence of problems corrected by this project.</p>
15	<p><b>WORK PLAN</b> = Specific list of all grant eligible procedures or tasks used to complete your project.</p> <p>Scope of work includes major work items, field supervision, health and safety requirements, testing, bonds, permits, etc. Eligible and ineligible tasks must be itemized separately.</p>
5	<p><b>EVALUATION</b> = Measures the outcome of the Applicant's project.</p> <p>Include as a minimum: proposed personnel qualifications and responsibilities and methods and standards for inspecting, testing, and evaluating the work.</p>

10	<p><b>BUDGET=</b> Cost (dollar figure) associated with activities necessary to complete the project.</p> <p>Include total anticipated project costs broken down by eligible and ineligible project costs. List sources of funds required to complete the project. Local funds identified must be approved in the local government resolution accompanying the application. Show value of Applicant's initiatives to achieve project cost savings through volunteer labor/equipment, in-kind services, reduced or waived tipping fees, and other savings.</p>
5	<p><b>APPLICATION COMPLETENESS, LETTERS OF SUPPORT, EXPERIENCE, ETC.</b></p> <p>Applicant is encouraged to include letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project.</p>
15	<p><b>EVIDENCE OF A RECYCLED-CONTENT PURCHASING POLICY OR DIRECTIVE</b></p> <p>Provide evidence that a recycle-content purchasing policy is in place or evidence to show that the policy will be adopted during the application period requiring the grantee to purchase recycled content products, recyclable or reusable products, or engage in other waste reduction activities where appropriate and feasible.</p>
95	<b>SUBTOTAL</b>
<b>PROGRAM CRITERIA</b>	
5	<p><b>PRIOR PROGRAM GRANT FUNDING</b></p> <p>Applicant has not been awarded a grant under the Solid Waste Disposal and Codisposal Site Cleanup Program during the current and/or previous two fiscal years (i.e., fiscal years 2006/2007, 2007/2008, and 2008/2009 for grants funded with fiscal year 2008/2009 funds; and fiscal years 2007/2008, 2008/2009, and 2009/2010 for grants funded with fiscal year 2009/2010 funds).</p>
100	<b>TOTAL</b>

## SECTION II APPLICATION INSTRUCTIONS

### A. OVERVIEW

The application must include the information listed below utilizing the following general format and be organized in the order shown. Add attachments as needed for reports, investigations, drawings, specifications, and other material too voluminous to include in the main body of the application. Identify all pages using a systematic and consistent numbering system. Type narratives, specifications, etc., on 8-1/2" by 11" recycled paper to the extent practical, double sided within sections and appendices. Furnish any engineering drawings preferably on 11" by 17" paper, but not on paper larger than 24" by 36".

Each item in the application must have a response. If there is no response for an item the application may be considered non-responsive and the application may be rejected. If the response to an item is "Not Applicable" or "None," so state in the space or Section provided for that item. Failure to submit any required information may cause the application to be deemed incomplete and be rejected.

### B. APPLICATION CONTENTS

The following is a list of attachments that must be completed according to the instructions and submitted as part of the Application:

- (A) Application Cover Sheet. An Application Cover Sheet (Attachment A) properly completed and certified. Complete required Applicant information, Legislative District numbers, brief description of the proposed project, total grant request, and certification by the person authorized by the resolution to submit the application.
- (B) Resolution. An adopted resolution is required from the governing board or council authorizing submittal of the application, certifying availability of Applicant funds for participation in the cleanup, and identifying the title and name of the individual authorized to execute any agreements, contracts, and requests for payment necessary to carry out the project. Attachment B is an example resolution.
- (C) Permit Checklist. A completed General Checklist of Business Permits, Licenses, and Filings Certification, Form CIWMB 669 for the project (Attachment C).
- (D) Environmental Justice Certification. A properly completed Environmental Justice Certification (Attachment D).
- (E) Recycled-Content Product Purchasing and Sustainable Practices Evaluation (15 points). Check whether the Applicant has a Recycle-Content Purchasing and

Sustainable Practices Policy. Completion of this section is optional. Failure to submit information will result in a score of 0 points for this criterion.

- (F) Grant Need Narrative (40 points total). The grant proposal clearly and convincingly describes and demonstrates why the project should be funded (e.g., benefits, end products, etc.).

*Substantiation of Threat to Public Health and Safety and/or the Environment (20 points)*. Substantiate the threat to public health and safety and/or the environment by describing the site conditions that constitute an actual or potential threat to public health and safety and/or the environment, as determined by comparison with state minimum standards (27 CCR, Chapter 3, Subchapter 4, commencing with Section 20510 and Subchapter 5, commencing with Section 21099, and Section 25356 of the Health and Safety Code).

For each site proposed for cleanup under the application complete the attached Site Characterization Form (Attachment F). Provide the Board Solid Waste Information System (SWIS) number (if applicable), location, parcel numbers, and acreage. Describe the method of disposal, types and estimated quantity of waste disposed or to be disposed, period of operation and owners/operators. Topography, proximity to populated areas, environmentally sensitive areas, and other important information should also be included. Attach a copy of the grant deed with legal description of the property on which the site is located. Attach site investigation reports and regulatory inspections, investigations, and enforcement orders. All relevant information is required for each site proposed for cleanup. Attach a grant deed with legal description of the property on which the site is located.

The information in Form F and the accompanying information should:

- (i) Summarize actions taken to characterize/cleanup site prior to submittal of application (e.g., site investigation reports, regulatory inspections, investigations, enforcement orders, etc.).
- (ii) Provide evidence that sites pose a significant risk to public health and safety and/or the environment.
- (iii) Provide sufficient detail to substantiate that remedial actions proposed for funding are eligible work as defined in the Program regulations.
- (iv) Provide documentation that responsible parties cannot be identified or located, are unable to pay for timely and proper remediation; or are unwilling to pay for timely and proper remediation.

*Substantiation of Need for Grant Funds (20 points)*. Substantiate the need for grant funds by providing documentation that the proposed project site(s) meet(s)

Program eligibility requirements, and demonstrate to the satisfaction of the Board that Program funds are needed to assure timely remediation of the site.

If the site is owned by the Applicant or the applicant is a responsible party, submit Applicant's annual financial operating statements for the last three years and interim (within 90 days) independent audits, and other evidence of financial condition, all certified by the original signature of the person completing the application. Identify funds to pay for local government match and project costs not eligible for matching funds included in the project.

If the Applicant is not a site owner/responsible party, provide evidence that the owner/responsible party is unwilling or unable to pay for the cost of remediation, or cannot be identified or located. Substantiate inability to pay by attaching a financial statement or audit of the owner/responsible party. Substantiate unwillingness to pay by documenting refusal of the owner/responsible party to comply with lawful enforcement orders. Substantiate that the owner/responsible party cannot be identified or located by attaching records searches and other actions taken leading to that conclusion. This information is required for each site proposed for cleanup. List the availability of other appropriate federal or state enforcement and/or cleanup programs to remediate the site.

- (G) Goals and Objective Narrative (5 points). Describe what you wish to accomplish by completing this grant project by listing measurable targets, and/or objectives that must be met on the way to attaining your goal. Examples include, but are not limited to: improvements to public health and safety and/or the environment; recycling and/or reuse of recovered materials; restoration of land to beneficial uses; and implementation of methods to prevent or minimize reoccurrence of problems corrected by this project.
- (H) Work Plan (15 points). Create a specific list of all procedures or tasks necessary to complete the project. Include major work items, field supervision, health and safety requirements, testing, bonds, permits, etc. Each task must be itemized separately and listed as specifically eligible or ineligible for grant funds.

The proposed Work Plan must be prepared under the supervision of a registered civil engineer or other persons appropriately experienced and qualified, and it should contain the major elements of the proposed remediation. Include in the Work Plan each site proposed for cleanup. Examples of Work Plan elements include, but are not limited to:

- (i) **Site Access.** Indicate the owner/responsible party has granted access to the site for remediation. If the owner/responsible party has not granted site access at time of application for Program funds, outline measures to be taken by the Applicant to get site access.
- (ii) **Mobilization/logistical preparation.**

- (iii) Health and safety requirements.
  - (iv) Quantity estimates by site (e.g. tires, solid waste for disposal, metals for recycling, fencing, revegetation, earthwork, etc.).
  - (v) Excavation, sorting, loading, and hauling of solid waste to disposal or recycling facilities.
  - (vi) Sampling and testing to verify clean closure.
  - (vii) Construction management/inspection.
  - (viii) Include work to be performed by participating organizations (e.g., County Vehicle Abatement Program, County Hazardous Materials Teams, etc.).
  - (ix) Include a project schedule from award of grant funds to project completion prior to the grant expiration date. The schedule should include major elements of the Work Plan, including obtaining necessary contracts, final inspection, and preparation of final project documents.
  - (x) Documentation that project complies with the California Environmental Quality Act (CEQA). This requires a properly executed Notice of Exemption, Negative Declaration, or Environmental Impact Report.
  - (xi) Include preliminary or final drawings and specifications that have been prepared for the project. Furnish any engineering drawings preferably on 11" by 17" paper, but not on paper larger than 24" by 36".
- (I) Evaluation Narrative (5 points). Include, at a minimum, proposed personnel responsible for day-to-day management of cleanup activities and their qualifications, responsibilities, and methods and standards for inspecting, testing, and evaluating the work.
- (J) Budget (10 points). Include total anticipated project costs broken down by tasks outlined in the Work Plan and identify eligible and ineligible project costs. Include a list of funding sources required to complete the project. Applicant funds identified must be approved in the local government resolution accompanying the application. Show any value of the Applicant's initiatives to achieve project cost savings through volunteer labor/equipment, in-kind services, reduced or waived tipping fees, and other savings. Be sure to identify separately the costs for which Program funds are requested and any participating costs by the Applicant and/or others.

For each work item show the estimated cost for labor, equipment, materials, contracts, consultants, and other costs (e.g., donated resources). Itemize work

that is not eligible for Program funds. Include the cost of all activities directly related to implementing and completing the project, using the following guidelines.

Indirect costs of local government/state/federal entities and agencies (e.g., administrators, clerical, attorneys, local enforcement agency representatives, etc.) are generally ineligible costs and should not be included in the cost estimate unless supporting justification is attached to the application. In no case shall indirect costs exceed ten (10) percent of the total grant amount.

If an Applicant proposes to utilize its own resources for the site cleanup activities and to be reimbursed with Program funds, allowable costs shall be determined as follows:

- (i) In accordance with procedures in *State Department of Transportation Standard Specifications* Section 9-1.03, Force Account Payment, except that overhead and profit markups to direct cost of labor, materials, equipment or subcontractors will not be allowed; or
- (ii) The Applicant shall submit its proposed costs along with any justification for review and approval.

The evaluation of this section will be based on the following:

- (i) The demonstration that the project is cost effective and maximizes the use of available funds through cost savings, such as use of volunteer labor, in-kind services, and recycling options;
- (ii) Detail that expenses are reasonable with all work plan tasks itemized in the budget; and
- (iii) The Applicant's ability to adequately remediate the site with available funds, including the proposed matching funds.

(K) Application Completeness, Letters of Support, Experience, Etc. (5 points). Applicants are encouraged to include letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project. Factors used in evaluating this section are:

- (i) Grant proposal is clearly presented and completed as required in the application instructions;
- (ii) The proposal describes past grants received from Board; and
- (iii) Includes letters, endorsements, and reports from local constituents and regulatory/advisory agencies in support of the project.